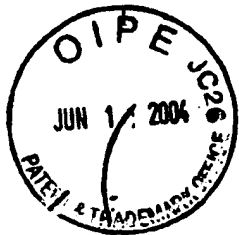


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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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JUN 16 2004

OFFICE OF PETITIONS

Patent Application

Inventor(s): J. A. Dewberry

Case: Dewberry 1

Serial No.: 09/870,895

Group Art Unit: 3617

Filing Date: May 31, 2001

Examiner: Robert J. McCarry, Jr.

Title: Advertising golf ball tray unit for golf driving ranges and courses

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

SIR:

RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

This Renewed Petition for Revival under 37 CFR 1.137(b) is in response to the outstanding action dated April 7, 2004, which DIMISSED the Applicant's initial Petition to Revive. The initial Petition to Revive was filed July 27, 2003 in response to the Notice of Abandonment dated February 20, 2003 and the Office Actions dated July 26, 2002 and September 18, 2002 (wherein the attempted response by the pro se inventor was considered Non-Compliant under 37 CFR 1.121).

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In full compliance with the additional requirements set forth in the outstanding Decision to Dismiss, the following items accompany this Renewed Petition for Revival:

- 1) Additional fee of \$25.00 (via Credit Card Payment form 2038) to adequately supplement the inadvertently miscalculated fee of Petition Fee of \$640 paid with the filing of the initial Petition to Revive; and
- 2) Statement of Explanation regarding the status of the undersigned representative of the Applicant that the delay was unintentional. Specifically, the undersigned has clarified clerical issues with the OED division of the USPTO and, as can be verified with USPTO records, and the enclosed document, is fully authorized to represent the Applicant in this matter before the Office of Petitions.

It is respectfully requested that all substantive papers filed on July 27, 2003 as part of the initial Petition to Revive be incorporated as part of this filing as needed, that the petition be granted and the application be processed through for examination and issuance.

No Terminal Disclaimer is needed since the present application is a utility application filed after June 8, 1995.

In addition to the Statement of unintentional delay referenced above and included herein, a few relevant facts are presented to further assist you in justifying the grant of this petition. This patent application was originally filed, and initially prosecuted pro se, by an inventor with no patent experience. In fact, it was filed with no Detailed Description at all. After several communications between the inventor and the Examiner, the inventor was surprised, and somewhat confused, by a notice from the USPTO indicating that his application had been abandoned.

Sometime about April, I think, the inventor was able to get copies of all of the papers involved in his case from the USPTO and essentially create a complete a file history. The inventor solicited my advice and assistance

regarding his options. Upon review of the materials, it was decided that instead of filing another application, the current application could be revived and the necessary amendments presented to prefect the original application and prosecute it through to issuance.

While admittedly a couple of months have passed since the recreation of the inventor's file, it is directly stated here that the delay was unintentional. There is, nor has been, any attempt whatsoever to adversely affect the patent process, but instead merely time to thoughtfully and diligently consider available options and act in the inventor's best interest.

Thanks in advance for your favorable consideration of this Renewed Petition for Revival of an Application for patent abandoned unintentionally under 37 CFR 1.137(b).

Respectfully,

By 

Donald E. Hayes, Jr.

Attorney for Applicant(s)

Reg. No. 33,245

404-219-8228

Date: 06/07/04
3097 Wembley Ridge
Atlanta GA 30340